

COMMISSION MEETING MINUTES

APRIL 2, 2015

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, April 2, 2015.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:01 p.m.

At this time, Reverend Lester Lattany, Pastor, New Jerusalem Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jenny Brock abstained from the vote. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, March 19, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation in support of Volunteer Appreciation Week. Lester Lattany, President and CEO, United Way, and Becky Buchanan, United Way Volunteer, were present to accept.

- Whereas* National Volunteer Week has been celebrated annually since President Richard Nixon signed an executive order in 1974 establishing the event; and
- Whereas* National Volunteer Week honors the individuals who dedicate themselves to taking action and solving problems in their communities and proves that one person serving another can inspire, empower, equip and mobilize others to bring about positive change; and
- Whereas* volunteers, who are the backbone of our region's human service agencies, can connect with local community service opportunities through hundreds of service organizations like the Hands On Network Action Centers and Volunteer Centers; and
- Whereas* consisting of more than 62.8 million people, our country's volunteer force is a great treasure and is vital to our future as a caring and productive nation; and
- Whereas* during this week, throughout our region and nation, volunteers will participate in service projects and will be recognized for dedicating their time and talents to make a difference.

*Now, Therefore, I,* Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, do hereby proclaim April 12-18, 2015

**VOLUNTEER APPRECIATION WEEK**

in Johnson City, Tennessee, and urge my fellow citizens to join us as we celebrate this year's theme, "*Volunteers are a Work of the Heart,*" by volunteering in our community and recognizing those who serve. It is through this service that we can replace disconnection with understanding and compassion.

*In Witness Whereof,* I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 2nd day of April, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Fair Housing Month. Steve Baldwin, Community Development Coordinator, City of Johnson City, Amber Lee and Colin Johnson, Housing and Community Development Advisory Board, were present to accept.

*Whereas* April 2015 marks the 47<sup>th</sup> anniversary of the enactment of the Fair Housing Act; and

*Whereas* legislation passed by Congress in 1968 seeks to ensure that no citizen shall face barriers based on discrimination as they pursue the American dream; and

*Whereas* ensuring equal housing opportunities for all is not the responsibility of the federal government exclusively but requires ongoing efforts by our state and local governments as well; and

*Whereas* the City of Johnson City supports the unified efforts of government at all levels to promote equal housing opportunities for all Americans.

*Now, Therefore, I,* Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, in conjunction with national legislation, do hereby proclaim April 2015

## Fair Housing Month

in Johnson City, and encourage citizens to join me in recognizing the importance of promoting fair housing and continuing our efforts to eliminate housing discrimination in our community.

*In Witness Whereof,*<sup>1</sup>  
have hereunto set my hand and caused the  
Official Seal of the City of Johnson City,  
Tennessee, to be affixed this 2nd day of  
April 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Child Abuse Prevention Month. Lemy Dao, Executive Director, Children’s Advocacy Center of the First Judicial District, was present to accept.

- Whereas* child abuse and neglect are serious problems affecting every segment of our country, with 52 states reporting 678,932 victims of child abuse or neglect in fiscal year 2013; and
- Whereas* our children are the future of our community but the long-term psychological, emotional and physical effects of abuse can seriously hinder these precious resources from realizing their full potential; and
- Whereas* communities must provide programs and activities that help create protective factors that promote the social, emotional and developmental well-being of children; and
- Whereas* we acknowledge that we must work together as a community to foster the meaningful connections and partnerships of child welfare, education, health, community- and faith-based organizations, businesses and law enforcement agencies in order to prevent child abuse and neglect.

*Now, Therefore Be It Resolved, I,* Ralph J. Van Brocklin, mayor of the City of Johnson City, Tennessee, in conjunction with the national observance, do hereby proclaim April

***Child Abuse and Neglect Prevention Month***

in Johnson City, Tennessee, and ask that all citizens dedicate themselves to the task of improving the quality of life for all children and families.

*In Witness Whereof,* I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 2nd day of April, 2015.

/s/ Ralph J. Van Brocklin  
Ralph J. Van Brocklin, Mayor

At this time, Mayor Ralph Van Brocklin presented a Retirement Resolution to Steve Carver. City Manager Pete Peterson presented Mr. Carver a watch in honor of his retirement and commended him for his service. Roger Blakely, Parks and Recreation Director, John Grindstaff, Parks Services Manager, and Charles Stahl, IV, Assistant City Manager, also commended him for his years of service to the community.

**Whereas** Steve Carver began his tenure with the Johnson City Parks and Recreation Department as a part-time helper in 1974 and six years later became a full-time public service worker; and

**Whereas** throughout his 41-year career, Steve served under all four Parks and Recreation directors and earned the nickname "Quarterhorse" for his strength and tireless hard work; and

**Whereas** Steve was literally the key to maintaining our parks and recreation centers, keeping approximately 100 of them on hand and knowing exactly which lock each fit at just a glance; and

**Whereas** Steve was the employee everyone called, day or night, if anything at all needed to be repaired within the park system, and his dedication was so strong that he regularly spent his days off touring the facilities to make certain everything was in working order.

**Now, Therefore, Be It Resolved,** by the Board of Commissioners of the City of Johnson City, Tennessee, upon his March 31, 2015 retirement, that Steve Carver is officially commended for his service to the City and the community.

**Be It Further Resolved,** that a copy of this Resolution be presented to Steve Carver along with well wishes in her future endeavors.

**In Witness Whereof,** I have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 2nd day of April, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Patrick Wilson, Executive Director, Tri-Cities Airport Authority (TCAA), joined by David Jones, Director of Operations, Tri-Cities Airport, and Jon Smith and David Tomita, TCAA members representing Johnson City, presented to the Commission an award they received from the Tennessee Aeronautics Commission for 2015 Governing Body of the Year.

At this time, Phil Pindzola, Public Works Director, made a presentation on the Public Works Department.

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Commissioner Jeff Banyas, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the re-appointment of Tim Mozen and the appointment of Harold Hunter to the Johnson City Historic Zoning Commission, be and the same are hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of Barbara Powell, as a Member At-Large, to the Johnson City Senior Services Foundation, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Sunday, May 3, 2015, from 3:00 p.m. until 5:00 p.m., as requested by Christina Maiden for the Williams Syndrome 5K Road Race, be and the same is hereby approved. Christina Maiden was present.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the street closing from 5:00 p.m. on Friday, April 17, 2015, until 2:00 p.m. on Saturday, April 18, 2015, as requested by Joy McCray, on behalf of the Johnson City Morning Rotary Club for the Jacob Francisco Memorial Century and Awareness Walk, be and the same is hereby approved. Larry England, was present, representing the Rotary Club.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for April 2, 2015, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Fire Department**

Consider approval to apply for the Federal Emergency Management Agency's (FEMA) Fire Prevention Grant

**ii. Purchasing**

Consider declaring certain Police equipment as surplus: (24) vehicles and (6) weapons

**iii. Legal Department**

Consider approval of the License Agreement between the City of Johnson City and Greater Love Church in Christ, Inc., for the Community Garden Spot Program on 120 Garden Drive.

**iv. Public Works**

Consider Change Order No. 1 on the Farmers Market Contract resulting in a net increase of \$52,600 and a thirty (30) day contract time extension

**v. Administration**

Consider Project Management Agreement with Burleson Construction for the Farmers Market/Downtown Event Center Project

**vi. Administration**

Consider \$5,000 appropriation for the Umoja Festival

**vii. Administration**

Consider \$10,000 appropriation for the Blue Plum Festival

**viii. Administration**

Consider Release of Retainage for Thomas Construction on the Brush Creek Interceptor Project in the amount of \$123,487.08

**B. INVOICES:**

- i. Trademark of VA.....\$92,035.05  
Public Works Department  
Pay Request #1 ~ Johnson City Famers Market  
Funding Source: TIF and General Fund
  
- ii. Gresham Smith and Partners.....\$2,246.66  
Public Works Department  
Indian Ridge Road  
Funding Source: STP Funds
  
- iii. Gresham Smith and Partners.....\$26,000.00  
Public Works Department (**FINAL INVOICE**)  
Construction Engineering and Inspection on the ITS Project  
Funding Source: Capital Projects

C. BIDS:

i. ITB #5890

Thomas Construction.....\$523,373.90

Water & Sewer Services

Galvanized Waterline Replacements

Funding Source: Rate Funded Project & Budgeted Expense

City of Johnson City  
Water and Sewer Services Department  
ITB 5890 Bid Opening  
Galvanized Waterline Replacements  
3/12/15

Bidder	Division A	Division B	Division C	Total Project
American Environmental	188,613.60	255,295.80	135,949.70	\$ 579,859.10
Merkel Brothers Construction	264,761.50	236,122.35	163,981.45	\$ 664,875.30
Thomas Construction	193,423.70	201,967.55	127,982.65	\$ 523,373.90

*Dedline: King General Contractors  
No Resubmit: Industrial Repairs and Services, Summers-Taylor*

RECOMMEND ACCEPTANCE OF LOW BID, AS CIRCLED ABOVE. TOTAL INCLUDES 3% CONTINGENCY.

- ii. ITB #5898
  - Consolidated Pipe and Southern Pipe.....\$289.50
  - Water & Sewer Services
  - Change Order Request ~ Water Distribution Valves Contract
  - Funding Source: Budgeted Funds

**AGENDA SUMMARY**  
April 2, 2015

**DEPARTMENT:** Water & Sewer

**SUBJECT:** ITB # 5898- WATER DISTRIBUTION VALVES CONTRACT  
CHANGE ORDER REQUEST

Southern Pipe -	\$135,348.35 (decrease of \$ 27,310.50)
Consolidated Pipe -	\$ <u>50,002.00</u> (increase of \$ 27,600)
<b>TOTAL:</b>	\$ 185,350.35 estimated annual cost (increase of \$289.50)

**SUMMARY:** CHANGE ORDER

Recommend change order on item #17 attached. Southern Pipe has defaulted due to pricing error. Next low bidder – Consolidated Pipe will honor their price for this item.

As a result of Southern Pipe defaulting on this item that had already been approved by Commission and awarded to them - they have accepted the penalty: to be invoiced the price difference of this award= \$289.50.

**FUNDING SOURCE :** Budgeted expense

**D. PURCHASES:**

- i. Skyward.....\$35,818.00
  - Johnson City Schools
  - Annual Software Maintenance Renewal
  - Funding Source: General Purpose School Fund

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, **Ordinance No. 4576-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND SALE OF ITEMS FROM STREET VENDORS ON THE CLOSED PORTION OF DOWNTOWN AND FOUNDERS PARK DURING THE BLUE PLUM FESTIVAL TO BE HELD ON FRIDAY, JUNE 5, 2015 THROUGH SATURDAY, JUNE 6, 2015," was **passed on first reading**. The motion **carried** by four ayes. Vice-Mayor Clayton Stout was absent from the Chambers. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, **Ordinance No. 4575-15**, "AN ORDINANCE TO ALLOW POSSESSION AND CONSUMPTION OF BEER AND FOOD TRUCK SALES ON THE CLOSED PORTION OF MCCLURE STREET FROM 5 P.M. UNTIL 10 P.M. DURING THE FIRST ANNUAL FOOD TRUCK BEER DINNER EVENT TO BE HELD ON FRIDAY, APRIL 10, 2015," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

#### ORDINANCE NO. 4575-15

AN ORDINANCE AUTHORIZING THE CONSUMPTION OF CERTAIN ALCOHOLIC BEVERAGES AND FOOD TRUCK SALES AS SPECIFIED HEREIN AT THE 2015 FOOD TRUCK BEER DINNER TO TAKE PLACE UPON THE PUBLIC STREETS, SIDEWALKS, WALKWAYS, SQUARES, AVENUES, ALLEYS OR OTHER PUBLIC WAYS AS PARTICULARLY DESCRIBED IN THAT PORTION OF THE CITY MORE PARTICULARLY SET FORTH AND DESCRIBED HEREIN NOTWITHSTANDING THE PROVISIONS OF SECTION 8-101 OR SECTION 16-105 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, OR ANY OTHER ORDINANCES OR PARTS OF ORDINANCES HERETOFORE PASSED.

**WHEREAS**, the person sponsoring the special event known as the Food Truck Beer Dinner has requested permission for the temporary closing from Friday, April 10, 2015, at 12:00 p.m. until Friday, April 10, 2015, at 10:00 p.m., local time, and use of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Food Truck Beer Dinner in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance as well as to allow the possession and consumption of beer to be possessed and consumed and food sales exclusively from food trucks during said event in said area on April 10, 2015, between the hours of 5:00 p.m. and 10:00 p.m., local time; and

**WHEREAS**, it has been determined by the Board of Commissioners that it is in the public interest of the City to allow the possession and consumption of beer, and food sales exclusively from food trucks upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways in that portion of the downtown area herein described which is to be purchased in said area as described herein during said event; and

**WHEREAS**, it has been determined to be in the public interest to suspend the operation of the ordinances of the City governing the possession and consumption of beer and sales of food in the Permitted Area shown on Exhibit "A" only during the hours between 5:00 p.m. and 10:00 p.m., local time on April 10, 2015.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY** as follows:

**SECTION I.** That there shall be a temporary closing from Friday, April 10, 2015, at 12:00 p.m. until Friday, April 10, 2015, at 10:00 p.m., local time, of certain public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as herein described for the purpose of holding the Food Truck Beer Dinner in Johnson City, Tennessee, in that portion of the downtown area as more particularly described and set forth on Exhibit "A" to this ordinance.

**SECTION II.** BE IT FURTHER ORDAINED for the purposes of this ordinance, “beer” is defined in Title 57, Chapter 5 of the Tennessee Code. The possession and consumption of beer and food sales exclusively from food trucks is permitted in that area of the City described herein on Exhibit “A” and is allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways of the City located in said Permitted Area of the City depicted on Exhibit “A”, only during the hours between 5:00 p.m. and 10:00 p.m., local time on April 10 2015. No serving, dispensing, or pouring of beer shall take place outside of the confines of the interior walls of the licensed premises which is currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages fronting the street closed in the area described on Exhibit “A.” No serving, dispensing, or pouring of beer shall be allowed upon the public streets, sidewalks, walkways, squares, avenues, alleys, or other public ways depicted on Exhibit “A” as the “Permitted Area.” All cash registers, kegs, and taps shall be confined within the interior walls of the licensed premises.

**SECTION III.** BE IT FURTHER ORDAINED that all such beer possession and consumption as authorized herein be purchased from the entity which is currently duly licensed under applicable state statutes and municipal ordinances governing the sale of said beverages fronting the street closed in the Permitted Area described on Exhibit “A,” in containers which shall be of suitable material such as styrofoam, paper, plastic or some other such known non-shatterable or unbreakable substance and which shall be other than glass. Food sales exclusively from food trucks are authorized only within the permitted area described on Exhibit “A.” No sale of beer shall be allowed from food trucks.

**SECTION IV.** BE IT FURTHER ORDAINED that only pedestrian traffic will be allowed in the Permitted Area described on Exhibit “A” and all other traffic, except police, EMS, fire or other such emergency equipment, shall be prohibited.

**SECTION V.** BE IT FURTHER ORDAINED that coolers, glass bottles, glass thermos bottles, breakable glasses, or breakable cups/mugs, large bags and backpacks shall be prohibited within the Permitted Area described on Exhibit “A”.

**SECTION VI.** BE IT FURTHER ORDAINED that no container of beer shall be capable of containing more than sixteen (16) fluid ounces within the Permitted Area described on Exhibit “A”.

**SECTION VII.** BE IT FURTHER ORDAINED that only the possession and consumption of beer shall be permitted upon the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways as particularly set forth as the Permitted Area on Exhibit “A” hereto and that all other alcoholic beverages shall be sold and permitted only within the licensed establishment fronting the street closed in the Permitted Area on Exhibit “A,” holding current, operable, licenses and permits from the City of Johnson City and the State of Tennessee.

**SECTION VIII.** BE IT FURTHER ORDAINED that the event authorized by this ordinance shall terminate at 10:00 p.m., local time, on April 10, 2015.

**SECTION IX.** BE IT FURTHER ORDAINED that during the operation of this ordinance there be appropriate measures taken so as to notify the public of the closing of the public streets, sidewalks, walkways, squares, avenues, alleys or other public ways for the purpose of holding the Food Truck Beer Dinner and to notify the public that special rules are in effect allowing only the consumption of beer and food sales exclusively from food trucks within the areas specified herein.

**SECTION X.** BE IT FURTHER ORDAINED that no authorized license holder holding an on-premises license for the sale of beer is to sell such beverages for off-premise consumption after 10:00 p.m., local time.

**SECTION XI.** BE IT FURTHER ORDAINED that all off-premises beverages as permitted herein shall be consumed before 10:00 p.m., local time.

**SECTION XII.** BE IT FURTHER ORDAINED that the authorized license holder making the sale shall be responsible at the entrance to the business premises for checking all identification in order to ensure legal compliance with the laws pertaining to legal drinking age and no such license holders shall allow alcoholic beverages as permitted herein to leave the licensed premises for off-premises consumption after the 10:00 p.m., local time, deadline as set forth herein.

**SECTION XIII.** BE IT FURTHER ORDAINED that this ordinance shall take effect during the hours and dates set forth herein, after its passage on third and final reading and publication as required by law, the public welfare requiring it.

**SECTION XIV.** BE IT FURTHER ORDAINED that each violation of a provision of this ordinance shall subject the licensee to punishment up to and including forfeiture of his or her license and a fine as specified in the Code of the City of Johnson City, Tennessee, in Section 1-104.

PASSED IN OPEN, PUBLIC MEETING  
ON THE FIRST READING 3/05/2015  
PASSED IN OPEN, PUBLIC MEETING  
ON THE SECOND READING 3/20/2015  
PASSED IN OPEN, PUBLIC MEETING  
ON THE THIRD READING 4/2/2015  
APPROVED AND SIGNED IN OPEN  
MEETING ON THE 2<sup>nd</sup> DAY OF  
April, 2015

FOLLOWING PASSAGE ON THIRD  
READING.

/s/ Ralph Van Brocklin  
MAYOR

ATTEST:  
/s/ Janet Jennings  
CITY RECORDER

APPROVED AS TO FORM:  
/s/ James H. Epps, IV  
STAFF ATTORNEY

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That **deferral**, for two weeks, of consideration of a modification to the permit issued by the Tennessee Department of Environment and Conservation (TDEC) regarding the Iris Glen Landfill, to allow staff time to further research the impact of making this modification, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the selection of sculptures recommended by the Public Art Committee for display through the Lease Art Program, be and the same is hereby approved. Catherine Murray, Chairperson, Public Art Committee, made a presentation on the recommended sculptures.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That **deferral** of consideration of the Parks and Recreation Master Plan in order to allow time for a joint workshop with the Parks and Recreation Foundation, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the waiver of the Curb-Cut Ordinance No. 2503 along a portion of State of Franklin Road, as presented by City Staff, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Lease Agreement between the City of Johnson City and East Tennessee State University (ETSU) for the use of Kermit Tipton Stadium, be and the same is hereby approved.

At this time, City Manager Pete Peterson presented the City Manager's Report.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 7:54 p.m.

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RALPH VAN BROCKLIN  
MAYOR

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JANET JENNINGS  
CITY RECORDER

ITEMS DEFERRED:

1. *Deferral*, for two weeks, of consideration of a modification to the permit issued by the Tennessee Department of Environment and Conservation (TDEC) regarding the Iris Glen Landfill, to allow staff time to further research the impact of making this modification.
2. *Deferral* of consideration of the Parks and Recreation Master Plan in order to allow time for a joint workshop with the Parks and Recreation Foundation.

ACTION ITEMS:

1. Joint Workshop with the Parks and Recreation Foundation regarding the Parks and Recreation Master Plan.